



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210

PO Box 145801

Salt Lake City, Utah 84114-5801

801-538-5340

801-359-3940 (Fax)

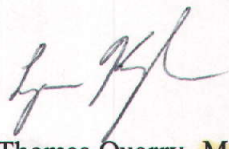
801-538-7223 (TDD)

Michael O. Leavitt
Governor

Lowell P. Braxton
Division Director

October 16, 1998

TO: File

FROM: Lynn Kunzler, Senior Reclamation Specialist 

RE: Meeting Notes, American Stone Inc., Cotton Thomas Quarry, M/003/024, Box Elder County, Utah.

At 10:00 am on October 13, 1998, a meeting was held with Lon and Beverly Thomas of American Stone, Inc. at the Division offices. Mary Ann Wright, Wayne Hedberg and Lynn Kunzler were in attendance for the Division. The purpose of this meeting was to discuss findings of recent site inspections and the Division's initial permit review document for the Cotton Thomas Quarry LMO.

First issue discussed and resolved was the transfer of the Nelsons quarry (S/003/041) from Todd Erickson and the Nelson's Quartzite quarry (S/003/036) from Don and Chris Nelson. These two quarries were purchased by American Stone in January, but the permit transfers were never completed. The partially completed transfer form from Mr. Erickson for the Nelson's Quarry was signed by Lon Thomas and notarized at the meeting. A second permit transfer form for the Nelson's Quartzite Quarry was given to Mr. Thomas to forward to the Nelson's to complete their section. These quarries will be added to the Cotton Thomas Permit once the transfer is completed and approved.

Next issue discussed was the increase of surface disturbance noted at the Cotton Thomas site during recent inspections (on September 16 and 30, 1998). This increase in surface disturbance included enlargement of existing quarry pits (Autumn Gold, Nelsons Quarry, Nelson's Quartzite, and Granite), two new quarry pits (one north of the Buckskin and the other between the Buckskin and Little Heart) and new access roads. The new quarries, as well as the Granite and Nelsons Quarry apparently involve federal minerals. The BLM has informed the Division and Mr. Thomas that the building stone being mined from these quarry areas is considered 'common variety' material (i.e., not locatable under BLM 3809 regulations). This would require payment to the BLM for the materials removed. The Utah Mined Land Reclamation Act does not distinguish between locatable and non-locatable minerals. Therefore state mining law does allow mining activity on these areas. However, a separate contract or lease would need to be worked out between Mr. Thomas and the BLM under the appropriate federal regulatory provisions.

Mr. Thomas indicated that he thought that it was OK to expand his mining operations since he had submitted his LMO application to the Division and was unaware that he needed formal permit approval before proceeding ahead with his large mining operation. We referred Mr. Thomas to the original September 18, 1997, Notice of Non-Compliance and a follow up October 8, 1997 Division response letter, which contained language that expressly prohibited any new disturbance or expansion of existing disturbances until the LMO permit was approved. The new disturbance was estimated to be 13.29 acres, using GPS technology. We discussed the issue of increasing the interim surety to cover this additional surface disturbance until the LMO permit application was approved. The Thomas's were provided a copy of the Division's GPS map and acreage calculations to verify the noted disturbances and acreage estimate. We agreed to meet again on October 27, 1998 at 10:00 AM to resolve any

discrepancies and finalize this issue. (NOTE: the 13.29 acres of new disturbance includes the current disturbance associated with the two quarries that are being transferred to the Thomas's). Mr. Thomas was again instructed that there is to be no new mining-related disturbance created at the Cotton Thomas project area until the large mining permit is finalized and approved. He can, however continue to operate within the existing disturbed areas, provided a revised interim bond is posted with the Division to cover the existing disturbances.

Mr. Thomas asked if we would be willing to use our GPS and map generating computer software to help him prepare the necessary maps for his permit. He indicated that he may be able to purchase his own GPS instrument to survey and map his quarry and waste dump areas and then turn the data files over to the Division for appropriate processing. The GPS information could then be included on our current GPS map of the Cotton Thomas project area. We advised the Thomas's that we would look into this possibility. We also agreed to provide them with the names and model numbers of our current GPS surveying hardware/software.

The meeting concluded with a discussion of several review comments from the Division's initial LMO review document for the Cotton Thomas quarry. These comments dealt principally with disturbed area and reclamation treatment maps and cross-sections that are needed. We advised Mr. Thomas to make sure that they identify sufficient area for anticipated expansion in their LMO application (not just an outline of the current disturbed areas.). We agreed to pull several examples of maps and typical cross sections from other representative permits for the Thomas's to reference in preparing their response to our deficiency review. Beverly Thomas said she would come in and look over same within the near term. We also had a short discussion regarding the advantages of prestripping and stockpiling of available topsoil resources in advance of waste dump and mine quarry expansion versus the importing of substitute soil and/or composted manure.

cc: Lon Thomas, operator
Mike Ford, BLM

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